

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellants::	Gerard Chauvel, et al.	§	Confirmation No.:	1444
		§		
		§	Group Art Unit:	2185
Serial No.:	10/631,185	§		
		§	Examiner:	Aran P. Savla
Filed:	July 31, 2003	§		
		§	Atty. Docket No.:	TI-35431
For:	Dirty Cache Line Write	§		1962-05410
	Back Policy Based On	§		
	Stack Size Trend Information	§		

REPLY BRIEF

Mail Stop Appeal Brief—Patents

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Date: February 2, 2010

Sir or Madam:

In response to the Examiner's Answer dated December 9, 2009, Appellants submit this Reply Brief for further consideration by the Board.

On page 18 of Examiner's Answer, Examiner states, "When there is a deletion of a group of stack objects (i.e., the stack is decreasing), or in other words a stack pop operation, no cache functions occur (see col. 6, lines 29–31 of Flake)." However, Flake teaches away from such an interpretation at col.6 ll.56–60: "The cache operation allows for single and multiple-object deletion by changing the stack pointer, for quick multiple object deletion. No special push or pop indications are required and, if used, such indication would prevent optimization for multiple-object deletion."

On pages 18–19 of Examiner's Answer, Examiner states, "It appears Appellant is attacking the references individually, however, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references." However, The United States Supreme Court in *Graham v. John Deere Co. of Kansas City* noted that an obviousness determination begins with a finding that "the prior art as a whole in one form or another contains all" of the elements of the claimed invention." See *Graham v. John Deere Co. of Kansas City*, 383 U.S. 1, 22 (U.S. 1966).

As argued in the Appeal Brief, the prior art as a whole does not contain all of the elements of the claimed invention.

For the reasons stated in the Appeal Brief and this Reply Brief, Appellants respectfully request that Examiner's rejections be reversed. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in attachments accompanying this document. However, in the event that additional extensions of time are necessary to allow consideration of this document, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Texas Instruments Incorporated's Deposit Account No. 20-0668.

Respectfully submitted,

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